

REMARKS

Applicant's counsel thanks the Examiner for the careful consideration given the application. The claims have been amended to resolve the concerns expressed by the Examiner in the most recent Office action, to more clearly define the invention and to more clearly define over the prior art references cited by the Examiner; no new matter has been added.

On page 2, first paragraph of the Office Action, the Examiner advised the applicant to explicitly disclose the identity of the "implicit" equation. In this regard, Applicant respectfully submits the following:

- a. The technical characteristics of the probability distribution of the income, that is a factor from which the implicit function depends, are listed clearly and in detail (must be a formal distribution of probability, either continuous or discrete)
- b. This gives a strict criteria for understanding what is included or excluded (is the case: it can be A, B or D but no C, as it could be to use a screw, a nail but not a glue to keep two things together).
- c. This distribution is known to the user and need not be disclosed in detail
- d. Any person skilled in the art can, with the description in the application, reach the final result using the appropriate distribution.

On page 11, last paragraph of the Office Action, the Examiner stated that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the reference to include processing of an additional amount of money L indicative of the risk of loss borne by the lender. Applicant respectfully submits that it was not obvious because it was never proposed, nor taught, nor suggested, nor accomplished. This clearly results from a proper and detailed analysis of the cited prior art. Furthermore, before the invention covered by the present application was made, a person skilled in the art did not even know which utility the claimed method and system would have had, so he or she would not even have had the motivation to try to obtain the claimed combinations of technical features.

On page 11, third paragraph, of the Office Action, the Examiner interprets that the additional charges payable by the borrower [as detailed in Ronald], such as points, loan fees, origination fees, and application fees, are the same as additional amount of money L. Indeed the claimed method through which the additional amount of money L is calculated, is completely different

with respect to the known methods. The known methods are based on a simple calculation of L over B or $B+M$, whereas the claimed method employs a recursive calculation of L over $B+M$ the same L , stated explicitly already in claim 20: “mathematical combination, according to a given formula, of the aforementioned quantity of money K , extra yield M and amount of money L ”), the new one bringing real additional benefits to the user. The whole inventiveness focus on this one difference, which is not banal nor known before this application. It ought to be noted that the old methods taught by Ronald and UNA would not be covered by this application.

On page 9, first paragraph of the Office Action, the Examiner states that from the claim language, one of ordinary skill in the art would most likely think that the invention is describing a simple mathematical combination of $B=K+M+L$... and the claim language does not disclose how such solution of the formula is used in practical application. Applicant respectfully submits that all the necessary technical features are explicitly disclosed in claim 20: “mathematical combination... in order to obtain a quantity of money B that, asked of the borrower, allows the lender to obtain an average return of $(K+M)$ ”. This last sentence states explicitly that the invention is not about a simple summation; it also expresses in concrete terms the advantage for the user and the utility of the invention, matching all the requirements (usefulness, tangibility and concreteness) highlighted in the cases expressed by the Examiner (page 8, *AT&T v. Excel Communications Inc.*, *State Street Bank & Trust Co. v. Signature Financial Group, Inc.*) The “tangible” criteria is further satisfied by the feature “asked of the borrower”, which limits the scope of the claims to very strict and specific situations in human life and makes the invention as described not a mere “abstract idea” but a tangible product to be used in concrete industrial environments with clear utility.

For all of the foregoing reasons, it is believed that the claims as now presented clearly define over the prior art of record, and a Notice of Allowance is in order, which is respectfully requested. If any additional fees are required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. BUG-40593.

Respectfully submitted,
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